

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 16, 2022

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

PATRICK FLEETWOOD and MICHAEL
FLEETWOOD,
Plaintiffs,
v.
WASHINGTON STATE UNIVERSITY,
Defendant.

No. 2:20-CV-00355-SAB

**ORDER RE: SUPPLEMENTAL
BRIEFING, TRIAL DATE**

Before the Court is the parties' Status Report, ECF No. 51, and Plaintiffs' Motion to Stay, ECF No. 52. Plaintiffs are represented by Matthew Crotty. Defendant is represented by Debra Lefing and Brian Baker. The motion was considered without oral argument.

The parties submitted the status report in response to the Court's March 8, 2022 status conference with the parties. The parties indicated that they had reached an agreement to depose Dan Patterson by April 13, 2022. However, Plaintiffs request that they be given a chance to submit supplemental briefing following Mr. Patterson's deposition if the deposition produces information relating to the admissibility of the documents attached to his declaration. Defendant opposes the request and instead argues that all briefing on its pending Motion for Summary Judgment, ECF No. 32, has been completed. The Court grants Plaintiffs' request.

As for Plaintiffs' Motion to Stay, Plaintiffs request that the Court move the current jury trial date of June 6, 2022 because Mr. Fleetwood has military service

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responsibilities from March 15 to October 10, 2022. Plaintiffs state that Defendant does not object to the request for a continuance. The Court finds good cause to grant the motion.

Accordingly, **IT IS HEREBY ORDERED:**

1. On or before **April 25, 2022**, Plaintiffs shall submit supplemental briefing, if any, associated with Mr. Patterson's deposition. Defendant shall file any response on or before **May 5, 2022**.

2. The hearing date for Defendant's Motion for Summary Judgment, ECF No. 32, is **reset to May 19, 2022** without oral argument. If the parties wish to request oral argument, they may contact the Court.

3. Plaintiffs' Motion to Stay, ECF No. 52, is **GRANTED**.

4. The pretrial conference set for May 19, 2022, and the jury trial set for June 6, 2022, are **STRICKEN**.

5. On or before **March 21, 2022**, the parties shall submit all unavailable dates for trial from **October 10, 2022 to April 10, 2023** by email to Court staff. The Court will issue an amended Scheduling Order once the trial date has been reset.

IT IS SO ORDERED. The District Court Clerk is directed to enter this Order and provide copies to counsel.

DATED this 16th day of March 2022.



A handwritten signature in blue ink, reading "Stanley A. Bastian", is written over a horizontal line.

Stanley A. Bastian
Chief United States District Judge